

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL DIVISION
	:	
	:	Criminal No. 04-36 ERIE
v.	:	
	:	
	:	
ANN MARIE WEBER	:	

MOTION TO CONTINUE SENTENCING

AND NOW, comes the Defendant, Ann Marie Weber, by and through her attorney, Stephen M. Misko, Esquire, and respectfully files the following Motion to Continue Sentencing, and in support thereof avers as follows:

1. The Defendant is scheduled to be sentenced, in the above captioned matter, on August 2, 2005 at 10:00 a.m.
2. Counsel for the Defendant has requested but not yet received medical and psychiatric records from Stairways Behavioral Health, Saint Vincent's Health Center, and Millcreek Community Hospital. Said records are necessary exhibits to the Defendant's Sentencing Memorandum and support proposed testimony of the Defendant's current treating physician regarding psychiatric diagnosis and prescribed medications.
3. AUSA Trabold was contacted regarding this requested continuance and does not oppose a continuance of the Defendant's sentencing.

WHEREFORE, the Defendant, Ann Marie Weber, respectfully requests that her Sentencing be continued for the reasons stated herein.

Respectfully submitted,

**Stephen M. Misko, Esquire
Attorney for Ann Marie Weber**

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL DIVISION
	:	
	:	Criminal No. 04-36 ERIE
v.	:	
	:	
	:	
ANN MARIE WEBER	:	

ORDER

AND NOW, to wit, this ____ day of _____, 2005, upon presentation and consideration of the within **Motion to Continue Sentencing**, it is hereby ORDERED that said Motion be GRANTED, and that said Sentencing be continued to the ____ day of _____, 2005, at ____:____ o'clock ___.m in Courtroom No. C, U.S. Courthouse, 17 South Park Row, Erie, Pennsylvania.

This Court makes the finding that the ends of justice are served by taking such action and outweigh the best interest of the public and the defendant in obtaining a speedy trial because defendant's need to obtain medical and psychiatric records in support of her position on sentencing factors. The period of continuance shall be excluded from computation of time for the Speedy Trial Act, pursuant to 18 U.S.C. 3161(h)(8)(A)(B)(i)(iv).

**Sean J. McLaughlin
U.S. District Court Judge**

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL DIVISION
	:	
	:	Criminal No. 04-36 ERIE
v.	:	
	:	
	:	
ANN MARIE WEBER	:	

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the within **Motion to Continue Sentencing** was served by Electronic Mail, on the following parties, on this the 27th day of July, 2005:

Christian A. Trabold, Esquire
United States Attorney's Office
17 South Park Row, Room A-330
Erie, Pennsylvania 16501

Stephen A. Lowers
United States Probation Officer
17 South Park Row, Room A-110
P.O. Box 1598
Erie, Pennsylvania 16507-0598

**Stephen M. Misko, Esquire
Attorney for Ann Marie Weber**